



President's Advisory Commission on Asian Americans, Native Hawaiians, and Pacific Islanders

March 14, 2023
Meeting Minutes

Action Items

The Commission voted unanimously to move forward the recommendation of the Data Disaggregation Subcommittee, with Commissioners Kerry Doi, Simon Pang, and Raynald Samoa recused:

- The Commission recommends that the White House issue an Executive Order that gives the U.S Territories comparable treatment to Puerto Rico in the standards, policies, and norms in federal departments and agencies regarding the treatment of U.S. Territories in the statistical system.

The Commission voted unanimously to move forward the recommendation of the Language Access Subcommittee, with Commissioners Kerry Doi, Simon Pang, and Raynald Samoa recused:

The Commission recommends expanding the availability and access to the 988 Suicide and Crisis Lifeline through providing in-language counseling services in multiple AA and NHPI languages, and expanding outreach to AA and NHPI communities.

The Commission voted unanimously to move forward all three recommendations, as amended, of the Health Equity Subcommittee, with Commissioners Kerry Doi, Simon Pang, and Raynald Samoa recused:

Recommendation One:

- As part of the national AA and NHPI mental health summit, launch an AA and NHPI youth mental health campaign (~~tentatively titled "The Tiger Youth Mental Health Campaign"~~) run by a collaboration between the Department of Health and Human Services (HHS) and Department of Education (ED).

- Campaign would include a community volunteer mentorship component similar to the Obama Administration’s “My Brother’s Keeper” initiative, to help create healthy mental health environments that build resilient AA and NHPI youth.
 - Create an education campaign for AA and NHPI youth on culturally competent healthy mental health practices *and take into account other parts of their identity, including generation, multi-racial, refugee, and adoptive.*
 - Run ads partnering with AA and NHPI celebrities discussing the importance of *claiming cultural and community identity, however defined, which are protective factors against racism, homophobia, and ableism, and their impacts on mental health.* ~~pride and mental health.~~ Publish on platforms utilized by AA and NHPI communities.
- Increase targeted funding to the National Institutes of Health (NIH) for research on culturally competent effective treatments and approaches for AA and NHPI individuals with mental health symptoms.
 - Expand Substance Abuse and Mental Health Services Administration (SAMHSA) minority fellowship programs and Health Resources and Services Administration (HRSA) loan repayment programs to target AA and NHPI behavioral health trainees and professionals.

Recommendation Two:

- The Commission recommends the establishment of national programs by the Department of Health and Human Services (HHS) and the Department of Education (ED) to raise awareness, evaluate, and address health disparities, such as heart disease and obesity, in AA and NHPI sub-groups living in the United States, specifically with a focus on children and youth.
 - Development of obesity ~~surveillance~~ *monitoring* and intervention programs by the Centers for Disease Control and Prevention (CDC) that focuses on AA and NHPI children and youth to dispel misconceptions and educate AA and NHPI communities on how to stay healthy and reduce the impact of chronic diseases using culturally relevant materials, resources, and languages.
 - Creation of a centralized database containing research and data *as well as nutritional options* related to AA and NHPI communities that are affected by heart disease and obesity, such as South Asians.
 - Work with SAMHSA, HRSA, HHS Office of Minority Health (HHS OMH), *and CMS* to increase training, technical assistance, and resources for healthcare providers to improve cultural competency and language barriers and ensure that the needs of AA and NHPI patients are being met.
 - Ensure agency-wide collaboration between HHS and ED to create and disseminate relevant educational information via community outreach in multiple AA and NHPI languages. The resources developed should be implemented in

school health curriculums and be targeted to AA and NHPI children and youth on topics such as the detrimental effects of high sugar consumption, and education on how to read food nutrition labels.

- *Collaborate with FQHCs (federally qualified health centers), community, and patient stakeholders.*

Recommendation Three:

- By 2024, for AA and NHPI communities, as well as other limited English proficient (LEP) populations, the Health Resources and Services Administration (HRSA) should collect language access data from federally-funded community health centers (CHC). HRSA should develop measures for reporting in the Uniform Data System (UDS) on percentages and number of patients with preferred languages other than English, including data on the languages spoken; the percent and number of patients who are LEP; and the percent and number of visits when professional/certified interpreters were utilized for LEP patients, *excluding the utilization of family members as interpreters.*
- *HHS should permanently require the collection of language access data beyond the May 11, 2023, expiration of the COVID-19 Public Health Emergency declaration.*

The Commission voted unanimously to move forward both recommendations, as amended, of the Belonging, Inclusion, Anti-Asian Hate, Anti-Discrimination Subcommittee, with Commissioners Kerry Doi, Simon Pang, and Raynald Samoa recused:

Recommendation One:

- The federal government should establish a permanent home agency with permanent career and political staff (FTEs), and *continue to include* ongoing funding in the *President's budget* to support the work of WHIAANHPI and the President's Advisory Commission on AA and NHPIs.

Recommendation Two:

- The Office for Victims of Crime (OVC) in the Department of Justice should increase the availability of, and accessibility of victim services for AA and NHPI crime victims, including victims of bias and hate incidents. This includes addressing barriers to funding for culturally specific organizations that are trusted in AA and NHPI communities by: (1) investing in increased outreach, both by OVC and grantee States and territories *to culturally specific organizations* about funding opportunities, (2) modifying OVC's funding agreements with States and Territories to ~~motivate grantees to~~ increase the ~~accessibility of~~ pass-through funds *granted* to culturally specific organizations serving AA and NHPIs, other Black, Indigenous, and People of Color (BIPOC) communities, and *other disabled BIPOC organizations* (3) supporting OVC grantees and subgrantees to strengthen the cultural relevance of programs and linguistic capacity to serve AA and NHPI communities.

The Commission voted unanimously to move forward the recommendation, as amended, of the Economic Equity Subcommittee, with Commissioners Kerry Doi, Simon Pang, and Raynald Samoa recused:

- By June 30, 2024, the federal government should provide support and resources to AA and NHPI small businesses to help them expand their export operations in order to help reduce U.S. import/export trade imbalance. In addition, the steps below will help to bring an increasing number of AA and NHPI small businesses into the export marketplace.
 - Increase awareness of tools and resources available through the Commerce Department, the United States Trade Development Agency (USTDA), *Export-Import Bank of the U.S.*, and the Small Business Administration (SBA) for small AA and NHPI-owned businesses looking to expand their exports via targeted outreach sessions with AA and NHPI small businesses. Increase outreach to AA and NHPI communities and organizations to raise awareness of the benefits of exporting for small businesses.
 - Gather and share data on export demands from other countries with AA and NHPI small businesses. Establish measurements to track if AA and NHPI small businesses are eligible, matched and benefiting.
 - Provide training, educational programs, *and language assistance* to AA and NHPI small business owners on how to effectively navigate the export process and identify potential international markets for their products and services.
 - Utilize U.S. consulates and embassies to provide AA and NHPI small businesses with global market outreach, including matchmaking and networking opportunities with foreign buyers and distributors. Develop targeted outreach programs to connect small AA and NHPI-owned businesses with potential international buyers and partners.
 - Increase funding for market research and trade missions to help small AA and NHPI-owned businesses identify new export opportunities. Invest in trade promotion and export assistance programs that specifically target small AA and NHPI-owned businesses. Offer grants and low-interest loans to small AA and NHPI-owned businesses to help them invest in the infrastructure and equipment needed to expand their exports.
 - Provide technical assistance to small AA and NHPI-owned businesses to help them comply with international trade regulations and standards.
 - Facilitate trade missions and delegations to key international markets to provide AA and NHPI small businesses with the opportunity to showcase their products and services to potential buyers and partners.

The Commission voted unanimously to move forward the first recommendation, as amended, of the Immigration and Citizenship Status Subcommittee, with Commissioners Kerry Doi, Simon Pang, and Raynald Samoa recused:

Recommendation One:

- The Commission recommends that the Department of Justice (DOJ) and Department of Homeland Security (DHS) expand access to legal representation for those in removal proceedings through grants to non-profit and other legal aid organizations, with the purpose of providing universal legal representation by taking the following steps:
 - o The President’s annual budget request to Congress for FY 2024 2025 and future years should include allocations to support programs to provide indigent legal representation for individuals in immigration court proceedings.
 - o The Administration should explore what funds are available within DHS, DOJ, and other agencies that could be used to support increasing indigent legal representation (i.e., appointed counsel) in immigration proceedings in all jurisdictions, including at the Board of Immigration Appeals (BIA).

The Commission voted to move forward the second recommendation of the Immigration and Citizenship Status Subcommittee, with Commissioner Naheed Qureshi voting nay and Commissioners Kerry Doi, Simon Pang, and Raynald Samoa recused:

Recommendation Two:

- The Commission recommends that the Department of Homeland Security’s U.S. Citizenship and Immigration Services (DHS USCIS) extend the grace period for H1-B workers from 60 days to 180 days to allow those who have lost their jobs to find a new sponsor, without threatening their status or the status of their families.

The Commission agreed to table the third recommendation of the Immigration and Citizenship Status Subcommittee until the next meeting:

Recommendation Three:

- The Commission recommends that the Department of Homeland Security’s U.S. Citizenship and Immigration Services (DHS USCIS) grant employment authorization documents (EADs) and travel documents to individuals who have approved I-140 employment-based visa petitions in the EB-1, EB-2, EB-3 categories, who have been waiting in the visa backlog for five or more years, regardless of whether they have filed applications for adjustment of status.

March 14, 2023
Meeting Convenes at 9:30am ET

Caroline Goon, Advisor, White House Initiative on Asian Americans, Native Hawaiians, and Pacific Islanders (WHIAANHPI) and Lead Designated Federal Officer (DFO), President's Advisory Commission on Asian Americans, Native Hawaiians, and Pacific Islanders (Commission)

Ms. Goon opened the meeting by welcoming everyone to the fifth quarterly meeting of the Commission and its first meeting of 2023. She thanked the Commissioners for their work since the last meeting in December 2022, including speaking with subject matter experts, deliberating, and preparing recommendations to be shared with the full Commission and the public. Ms. Goon offered a brief explanation of the Commission's commitments pursuant to the Federal Advisory Committee Act (FACA) and invited the public to submit written comments to aanhpicommission@hhs.gov which will be shared with the Commission for their consideration. Information about the Commission, including its charter, Commission bios, and meeting materials, is available at www.hhs.gov/about/whiaanhpi.

Welcome Remarks

Krystal Ka'ai, Executive Director, White House Initiative on Asian Americans, Native Hawaiians, and Pacific Islanders

Executive Director Ka'ai welcomed the Commissioners to their fifth public meeting and thanked them for their unwavering dedication to serving their communities since being sworn in by the Vice President in February 2022. She noted that, since that time, the Commission has accomplished a lot, including forming six subcommittees that have been meeting on a biweekly basis to learn from subject matter experts and to craft recommendations to the President on a rolling basis on ways to advance equity, justice, and opportunity for AA and NHPI communities. Earlier this year, WHIAANHPI released the first ever national strategy to advance equity, justice, and opportunity for AA and NHPI communities, which included 32 federal agency plans. Some of these action plans were informed by recommendations put forth by this Commission, such as the economic summit series that kicked off in Philadelphia in January which aims to connect AA and NHPI small businesses with federal resources, and a mental health care summit. Executive Director Ka'ai thanked the WHIAANHPI team, Deputy Assistant to the President and Asian American, Native Hawaiian, and Pacific Islander Senior Liaison Erika Moritsugu, as well as her team, and introduced co-chair Ambassador Katherine Tai, noting her extraordinary leadership in breaking down barriers and supporting AA and NHPI communities.

Opening Remarks from Commission Co-Chair

Ambassador Katherine Tai, U.S. Trade Representative

Ambassador Tai thanked Executive Director Ka'ai and the entire WHIAANHPI team and congratulated the Commission on the tremendous work that they have accomplished over the course of the past year. She shared that it is both a joy and an honor to serve as co-chair of the

Commission alongside U.S. Health and Human Services Secretary Xavier Becerra. She referenced the Monterey Park and Half Moon Bay shootings in January, noting that the administration immediately deployed staff with the Vice President to be on the ground to support AA and NHPI communities. Despite these tragedies, there is an underlying sense of resiliency across our communities. Ambassador Tai also expressed deep pride in having participated in the inaugural WHIAANHPI economic summit in Philadelphia, emphasizing that the summit series is the latest example of how the Commission's recommendations are becoming a reality, making an impact on people's lives, and catalyzing action plans that include bold commitments from dozens of federal agencies, including USTR. Specifically, she noted that the USTR action plan includes plans to advance data disaggregation to better understand the distributional effects of trade and trade policy on different communities, including AA and NHPI communities. She closed by expressing her deep appreciation to the Commission, especially the heart and expertise that they each bring to this work.

White House Approach to Advancing Equity, Justice, and Opportunities for AA and NHPIs

Erika L. Moritsugu, Deputy Assistant to the President and Asian American, Native Hawaiian, and Pacific Islander Senior Liaison

Ms. Moritsugu thanked Ambassador Tai for her leadership and welcomed the Commissioners back to the White House. She noted that she was joining the meeting virtually from Monterey Park, where she was traveling with the President who will be reaffirming his commitment to gun violence prevention and providing resources to AA and NHPI communities. Back in January, Ms. Moritsugu had the honor of meeting with communities in Monterey Park alongside the Vice President following the tragic shooting. She went on to emphasize that these tragedies do not define us, and that the President is proud of the work undertaken by this Commission in improving the lives of AA and NHPI communities, including by promoting belonging and inclusion, addressing anti-Asian hate, expanding language access, and cultivating community partnerships. The Commission's work is crucial in uplifting our communities as we build unity and resiliency. She noted that since day one, the President has centered equity across the federal government, and that last month he signed a second executive order to strengthen the administration's equity mandate and formalize his goal of increasing the share of federal contract dollars awarded to Small Disadvantaged Businesses by 50% by 2025. She closed by noting that the impact of this Commission's work has had a ripple effect across the federal government.

Commission's Charge and Goals for the Meeting

Sonal Shah, Chief Commissioner

Chief Commissioner Sonal Shah expressed gratitude to the President and Vice President for making the trip to meet with communities in Monterey Park. She recognized the hard work of the Commission's six subcommittees, all of which developed priority areas and drafted additional recommendations that will be shared and discussed at today's meeting. At the end of the day, the full Commission will vote on each recommendation.

Data Disaggregation Subcommittee

Co-Chairs: Commissioners Sarah Min, Dr. Raynald Samoa, and Dr. Robert Underwood

Members: Commissioners Emily Chen and KaYing Yang

Non-Commission Members: Dr. Ninez Ponce and Dr. Joseph Keawe Kaholokula

DFO: Sarah Edwards

Commissioner Emily Chen introduced the members of the subcommittee and summarized public comments received as part of the Federal Register Notice published last year, noting that the subcommittee agreed with key topics from the community, including community engagement, multi-pronged approach to gathering data, and collecting data at the geographical level to include community specific data.

Commissioner Emily Chen then shared the subcommittee’s six priority issue areas, which include ensuring equitable data inclusion through data collection, analyzing, and reporting; facilitating improved access for community advocates to use federal agency data to more effectively inform policy changes; fostering impactful three-way dialogue between communities, academic researchers, and federal agencies for more consistent reporting; pursuing joint recommendations with other subcommittees including Health Equity, Language Access, and Belonging, Inclusion, Anti-Asian Hate and Anti-Discrimination; calling for the investigation of more accurate methods and strategies to capture ethno-cultural, language, and multi-racial identity characteristics for AA and NHPI communities; and highlighting best practices from priority federal agencies for data disaggregation.

Commissioner Emily Chen noted that the subcommittee met with several subject matter experts, including:

- **Anna Owens, Deputy Chief, Office of Strategic Alliance, U.S. Census Bureau; Mayumi Hairston Escalante, Partner Liaison, Office of Strategic Alliance, U.S. Census Bureau; Nicole Scanniello, Assistant Division Chief for Communications, American Community Survey Office, U.S. Census Bureau; Bina “Kawe” Mossman-Saafi, Branch Chief, Congressional Affairs Office, Office of Congressional and Intergovernmental Affairs, U.S. Census Bureau:** Presented an overview on the U.S. Census Bureau’s Office of Strategic Alliance, as well as their outreach strategies to reach AA and NHPI communities and facilitate data sharing.
- **Neil Weare, President and Founder, Equally American; Cara Brumfield, Associate Director, Center on Poverty and Inequality, Georgetown Law; Jae June Lee, Policy & Data Analyst, Center on Poverty and Inequality, Georgetown Law:** Presented on advancing data equity in the U.S. territories.

Commissioner Robert Underwood shared the subcommittee’s **first and only recommendation**, explaining that of the five U.S. territories, only Puerto Rico receives more state-like treatment in the federal statistical system as a result of the 1992 Presidential Memorandum signed by President George H.W. Bush. The other U.S. territories – American Samoa, Guam, the Northern Mariana Islands, and the U.S. Virgin Islands – are not included in the federal statistical system, which disproportionately and unfairly excludes those communities from essential statistical data

on housing, labor force participation, demographic changes and environmental challenges, thereby rendering them invisible in policy making, political representation, and \$1.5 trillion in federal funding that is issued based on this data. The subcommittee, therefore, recommends that the White House issue an executive order that gives the U.S. territories comparable treatment to Puerto Rico in the standards, policies, and norms in federal departments and agencies regarding the treatment of U.S. territories in the statistical system.

Commissioner Robert Underwood went on to note that the overwhelming majority of the populations of the remaining territories represent minority communities, and the three Pacific Island territories have overwhelmingly AA and NHPI populations. This level of exclusion is simultaneously a racial justice as well as an equity issue. The absence of data denies the territories the ability to access information about their economic, health care, educational, population migration, and “social vulnerability” indices which has dramatic impacts on policy making. For example, the failure to include territories in the other datasets affects the allocation of housing programs, road construction, employment programs, and response to climate change. Additionally, the exclusion from federal data paves the way for exclusion from private data collections and reporting.

Questions and Discussion

Commissioner Daniel Dae Kim asked if there is any justification for the exclusion of the U.S. territories in the federal statistical system. Commissioner Robert Underwood responded that it is argued that the populations are so small that the government doesn’t believe it is beneficial to include them. He emphasized, however, that it is important nonetheless to have access to this data and information, particularly because of how federal programs and funding are allocated.

Language Access Subcommittee

Co-Chairs: Commissioners Dr. Amy Agbayani, Victoria Huynh, and Dr. Kimberly Chang

Members: Commissioners Kerry Doi, Grace Huang, Ajay Bhutoria, and Simon Pang

Ex-Officio Member: Laureen Laglagaron, U.S. Department of Justice

DFO: Zeyen Wu

Commissioner Victoria Huynh introduced the subcommittee’s co-chairs and members and shared the subcommittee’s priority areas, which include improving language access in the justice system, increasing public outreach, improving language access funding for health care to serve LEP families, prioritizing and expanding federal funding for AA and NHPI language access, building a pipeline of language translators and interpreters, translating federal agency communications into multiple languages, and collecting and analyzing disaggregated information on specific languages within LEP populations.

She noted that since December, the subcommittee met with several subject matter experts, including:

- **Cannon Han, Senior Program Manager, Asian Pacific Institute for Gender Based Violence:** Provided information on language access challenges/barriers of AA and NHPI

limited English proficient (LEP) communities, and recommendations based on implementation of Title VI in state and local government.

- **Dr. Keiki Kawai‘ae‘a, Director of Ka Haka ‘Ula O Ke‘elikōlani College of Hawaiian Language, University of Hawai‘i at Hilo; Member, Native Educator Education Committee of the National Indian Education Association; Board Member, World’s Indigenous Nations Higher Education Consortium:** Provided background on the history of Native Hawaiian language preservation and current language revitalization efforts, including programs, funding, and federal support, for Native Hawaiian language promotion and preservation.
- **Stanton K. Enomoto, Senior Program Director, Office of Native Hawaiian Relations, U.S. Department of the Interior:** Provided an overview on the relationship between Native Hawaiians and the federal government, and shared information about current federal efforts to incorporate Native Hawaiian language and perspectives into the Department of the Interior’s work.
- **Monica Johnson, Director, 988 and Behavioral Health Crisis Coordinating Office, Office of the Assistant Secretary, Substance Abuse and Mental Health Services Administration, U.S. Department Health and Human Services (HHS-SAMHSA); John Palmieri, Deputy Director, 988 and Behavioral Health Crisis Coordinating Office, Office of the Assistant Secretary, HHS-SAMHSA; James Wright, Division Director, Crisis Operations, 988 and Behavioral Health Crisis Coordinating Office, Office of the Assistant Secretary, HHS-SAMHSA:** Provided background on the structure and basic operations of the 988 Suicide and Crisis Lifeline, and information about current interpretation and in-language options for 988.

Commissioner Ajay Bhutoria shared the subcommittee’s **first and only recommendation**, explaining that the 988 Suicide and Crisis lifeline only offers in-language support in English and Spanish, which is not accessible to many LEP individuals in AA and NHPI communities. The subcommittee recommends expanding the availability and access to 988 by providing language assistance services in multiple AA and NHPI languages, and expanding outreach to AA and NHPI communities by taking the following actions:

- By September 2023, Substance Abuse and Mental Health Services Administration (SAMHSA) should translate 988 materials in webpages, social media, listserv announcements, and public outreach material into top AA and NHPI languages, consistent with the HHS Equity Action Plan, to address the inequities causing underutilization of the 988 Lifeline by AA and NHPI populations.
- By September 2023, SAMHSA should partner with federal agencies, including the U.S. Department of Education, to focus on youth outreach in schools and colleges, as well as AA and NHPI community organizations and media, to promote the 988 service and the availability of mental health services.
- By 2024, SAMHSA should develop a national action plan with regional language specificity to expand the capacity of the 988 Suicide & Crisis Lifeline to provide 24/7 live in-language counseling services in the top AA and NHPI languages (in addition to interpretation services), and increasing resources to community-based AA and NHPI organizations that can serve languages of lesser diffusion.

Questions and Discussion

Commissioner Luisa Blue asked about the impact of Title VI, which requires agencies to provide language accessibility. Commissioner Ajay Bhutoria responded that the subcommittee asked questions about Title VI, but none of the speakers provided adequate answers. He noted that the subcommittee plans to follow-up and may develop further recommendations to ensure that Title VI is implemented, especially in the area of mental health resources.

Commissioner Robert Underwood pointed out the intersection of language use and geography, explaining that from a nationwide and broad perspective, languages of lesser diffusion won't rise to the top 10 most commonly spoken languages, even if those languages are more common in specific regions. Commissioner Mia Ives-Rublee agreed, emphasizing the importance of tracking commonly spoken languages in specific regions, and asked whether the recommendation should push further by requiring certain language translations depending on region and usage.

Commissioner Grace Huang echoed those sentiments and also responded to Commissioner Luisa Blue's comment, noting that national agencies often contract with local organizations to provide language interpretation and translation and that additional capacity is needed, especially in the field of mental health.

Commissioner Michelle Ka'uhane expressed support for the recommendation and also uplifted the need for more discussion about Native Hawaiian language preservation and support for those efforts moving forward.

Commissioner Ai-jen Poo noted that the entry point for many AA and NHPI communities is language access and that meeting young people where they are is a much larger question than just language, pointing out the importance of outreach. She asked if the subcommittee heard from any speakers who raised those issues. Commissioner Ajay Bhutoria agreed, noting that the work intersects with the Health Equity Subcommittee and that there were speakers who shared those perspectives. Commissioner Smita Shah also agreed, noting a forthcoming recommendation about youth mental health from the Health Equity Subcommittee and the need to destigmatize these issues in AA and NHPI communities.

Commissioner Kevin Kim asked if the recommendation requires 988 to have their own in-language mental health experts, or if 988 connects a caller to regional mental health resources. Commissioner Ajay Bhutoria responded that when someone calls 988, the call is dispatched to wherever that person is calling from. Commissioner Kimberly Chang added that when someone calls 988, the live mental health trainers speak Spanish or English, and that other languages are conducted via a language line interpretative service. Afterward, the calls get dispatched regionally. She noted that there hasn't been enough outreach to AA and NHPI communities and that materials aren't translated. There are multiple barriers throughout this process and the subcommittee is working to address some of them.

Commissioner KaYing Yang explained that a lot of community development organizations that work with AA and NHPI youth are better trained and prepared to support our communities and asked if 988 services are connecting with those organizations. She added that just because someone speaks the language does not mean they are adequately trained. Commissioner Victoria

Huynh also emphasized that caregivers and family members may need additional resources as they navigate a crisis situation, something we don't often speak about; they are part of the support system and their needs should be part of these conversations.

Chief Commissioner Sonal Shah summarized the conversation, noting that this recommendation is a first step, and highlighted the three takeaways: that better data is necessary in knowing where our communities are and which languages are most impacted; engaging in outreach to ensure that AA and NHPI communities know about 988; and ensuring that we are also considering language preservation, particularly for Native Hawaiian communities.

Health Equity Subcommittee

Co-Chairs: Commissioners Teresita Batayola, Kerry Doi, and Mia Ives-Ruble

Members: Commissioners Victoria Huynh, Dr. Kimberly Chang, Michelle Ka'uhane, Dr. Kamal Kalsi, and Ajay Bhutoria

Non-Commission Member: Dr. Quyen Ngo-Metzger

DFO: Caroline Goon

Commissioner Mia Ives-Ruble introduced the subcommittee's other co-chairs and members, and shared the subcommittee's priority areas: combating domestic, intimate, physical and/or sexual violence; addressing mental health issues, including a focus on anti-bullying resources; human trafficking; COVID-19 and equitable response; environmental justice; challenges in accessing healthcare; data collection and disaggregation issues; and the healthcare workforce.

Commissioner Mia Ives-Ruble noted that the subcommittee met with multiple presenters on a range of issues, which informed their recommendations:

- **Amy Alexander, MD, President & Founding Member, Association for College Psychiatry, President-Elect, Association of Women Psychiatrists, Director, Student Mental Health Fellowship, and Clinical Assistant Professor, Department of Psychiatry and Behavioral Sciences, Stanford University School of Medicine; Anne S. Li, MD, DFAACAP, Director, Children's Comprehensive Psychiatric Emergency Program, NYC Bellevue Hospital Center, and Clinical Assistant Professor, Department of Child and Adolescent Psychiatry, New York University Langone; Warren Y.K. Ng, MD, MPH, President, American Academy of Child and Adolescent Psychiatry, Medical Director, Outpatient Behavioral Health, Director, Clinical Services Child and Adolescent Psychiatry, Professor of Psychiatry, Columbia University Medical Center and New York-Presbyterian/Morgan Stanley Children's Hospital; Donna Tran, MPH, National President, Asian Pacific American Medical Student Association, Medical Student Rep, Association for College Psychiatry; Maryam Zulfiqar, MD, Student Mental Health Fellow, Department of Psychiatry and Behavioral Sciences, Stanford University School of Medicine:** Provided an overview on the landscape of mental health, bullying, suicide prevention, and other topics of concern to the AA and NHPI population.
- **Eliseo J. Perez-Stable, MD, Director, National Institute on Minority Health and Health Disparities, National Institutes of Health (NIH); Shobha Srinivasan, PhD,**

- Senior Advisor for Health Disparities, Office of the Director, Division of Cancer Control and Population Sciences, National Cancer Institute, NIH; Yuling Hong, MD, PhD, FAHA, Chief, Epidemiology Branch, National Heart, Lung, Blood Institute, NIH; T. Jake Liang, MD, Chief, Liver Diseases Branch, National Institute of Diabetes and Digestive and Kidney Diseases, NIH; Gabriel Lai, PhD, Program Director, Environmental Epidemiology Branch, Epidemiology and Genomics Research Program, Division of Cancer Control and Population Sciences, National Cancer Institute, NIH:** Provided an overview of the current landscape of AA and NHPI health disparities/outcomes research, and highlighted barriers and challenges to supporting this work, including low funding rates for AA and NHPI research grants.
- **Mina Fedor, Founder and Executive Director, AAPI Youth Rising; Jaslene Lai, Founding Board Member and Website Manager, AAPI Youth Rising; Ethan Su, Board Member and Middle-School Representative, AAPI Youth Rising:** Provided information and perspective on the barriers and challenges facing AA and NHPI youth as it relates to mental health and other health inequities that affect AA and NHPI youth.
 - **Carter Blakey, Deputy Director, Office of Disease Prevention and Health Promotion (ODPHP), Office of the Assistant Secretary for Health (OASH), U.S. Department of Health and Human Services (HHS); Emmeline Ochiai, Senior Advisor, ODPHP/OASH/HHS:** Provided an overview of the Healthy People 2030 Framework and how its mission is to promote, strengthen, and evaluate the nation’s efforts to improve the health and well-being of all people.

Commissioner Mia Ives-Rublee then presented the subcommittee’s **first recommendation**, explaining that the leading cause of death for AA and NHPI youth is suicide, yet AA and NHPI youth are among the least likely to utilize mental health services. The subcommittee recommends the following:

- As part of the national AA and NHPI mental health summit, launch an AA and NHPI youth mental health campaign (tentatively titled “The Tiger Youth Mental Health Campaign”) run by a collaboration between the Department of Health and Human Services (HHS) and Department of Education (ED):
 - o The campaign would include a community volunteer mentorship component similar to the Obama Administration’s “My Brother’s Keeper” initiative, to help create healthy mental health environments that build resilient AA and NHPI youth.
 - o Create an education campaign for AA and NHPI youth on culturally competent healthy mental health practices.
 - o Run ads partnering with AA and NHPI celebrities discussing the importance of cultural and community pride and mental health. Publish on platforms utilized by AA and NHPI communities.
- Increase targeted funding to the National Institutes of Health (NIH) for research on culturally competent effective treatments and approaches for AA and NHPI individuals with mental health symptoms.
- Expand Substance Abuse and Mental Health Services Administration (SAMHSA) minority fellowship programs and Health Resources and Services Administration (HRSA) loan repayment programs to target AA and NHPI behavioral health trainees and professionals.

Questions and Discussion

On behalf of the Data Disaggregation Subcommittee, Commissioner Sarah Min shared responses received from the Asian Pacific American Mental Health Association as part of the Federal Register Notice published last year. One response emphasized the importance of claiming one's identity as a protective factor against racism and homophobia, and that this could potentially be part of the recommended campaign. Another point related to data collection and prioritizing the collection of not just demographic information, but also additional aspects of a person's identity, such as generation, immigrant or refugee status, multi-racial, adoptee status, and other trauma-related histories that may have an impact on social determinants of health and mental health. Commissioner Mia Ives-Ruble expressed support for these suggestions, noting that that was one reason why community pride was included in the recommendation, an important factor for promoting resiliency in youth populations.

Commissioner Naheed Qureshi supported the recommendation and asked how the subcommittee came up with the name of the campaign, suggesting that perhaps the name itself may not resonate across the diverse AA and NHPI communities. Commissioner Mia Ives-Ruble agreed and noted that the name can be changed.

Commissioner Kimberly Chang asked whether the subcommittee would consider adding language to the recommendation that specifically identifies some of the root causes of mental health stigma, exclusion, and isolation. Commissioner Mia Ives-Ruble expressed support for that change and noted that the Health Equity Subcommittee can follow-up with specific associations on the work that they have done targeting youth.

Commissioner Luisa Blue pointed out the shortage of mental health therapists generally and especially the need for AA and NHPI therapists and counselors. Commissioner Mia Ives-Ruble responded that the subcommittee is developing a recommendation on the healthcare workforce and that perhaps this is something that could be considered.

Commissioner Robert Underwood emphasized the importance of this topic, especially in Guam where the suicide rate is twice the national average. Commissioner Smita Shah asked if cyberbullying was also included in this recommendation or whether that was a separate topic. Commissioner Mia Ives-Ruble agreed that cyberbullying is an important part of the conversation and that the subcommittee can be more specific in elevating that topic.

Commissioner Ajay Bhutoria shared that the subcommittee's **second recommendation** is to establish national programs by the Department of Health and Human Services (HHS) and the Department of Education (ED) to raise awareness, evaluate, and address health disparities, such as heart disease and obesity, in AA and NHPI sub-groups living in the United States, specifically with a focus on children and youth:

- Development of obesity surveillance and intervention programs by the Centers for Disease Control and Prevention (CDC) that focuses on AA and NHPI children and youth to dispel misconceptions and educate AA and NHPI communities on how to stay healthy and reduce the impact of chronic diseases using culturally relevant materials, resources, and languages.

- Creation of a centralized database containing research and data related to AA and NHPI communities that are affected by heart disease and obesity, such as South Asians.
- Work with SAMHSA, HRSA, and the HHS Office of Minority Health (HHS OMH) to increase training, technical assistance, and resources for healthcare providers to improve cultural competency and language barriers and ensure that the needs of AA and NHPI patients are being met.
- Ensure agency-wide collaboration between HHS and ED to create and disseminate relevant educational information via community outreach in multiple AA and NHPI languages. The resources developed should be implemented in school health curricula and be targeted to AA and NHPI children and youth on topics such as the detrimental effects of high sugar consumption, and education on how to read food nutrition labels.

Questions and Discussion

Commissioner Kamal Kalsi noted that there is a lot that can be done to help increase education and awareness about healthy foods and activities as well as better understand restrictions on insurance reimbursements and current practices. Commissioner Kimberly Chang added that, unfortunately, insurance companies often don't cover medications that can actually address health disparities. She asked if CMS could be added to bullet point three as an agency to be trained since CMS is a regulatory agency for many private payers and also oversees Medicare and Medicaid.

Commissioner Victoria Huynh emphasized including families and caregivers in this conversation, pointing out the intersection of multi-generational households and nutrition and access to healthy foods as well as ensuring that materials are available for families in multiple languages.

Commissioner Daniel Dae Kim proposed replacing “surveillance” in the recommendation, given the connotations that stem from using that phrasing. Commissioner Smita Shah asked if the subcommittee might consider creating a centralized database containing research data and nutritional options that are culturally-specific.

Commissioner Luisa Blue noted that it is important to hear from people on the ground who are trying to address these issues, such as Federally Qualified Health Centers (FQHCs) that focus on AA and NHPI communities. Commissioner Raynald Samoa agreed, sharing that there are a lot of experts leading obesity prevention in AA and NHPI communities who understand what practices have been successful. He also noted that for future recommendations, disaggregation is key to better understanding obesity across different sub-populations and suggested a potential joint recommendation between the Data Disaggregation and Health Equity Subcommittees.

Dr. Quyen Ngo-Metzger shared the subcommittee's **third recommendation**, explaining that professional/certified interpreters provide better health outcomes than ad hoc interpreters, such as family members or bilingual but not certified staff. The subcommittee therefore recommends that by 2024, for AA and NHPI communities, as well as other limited English proficient (LEP) populations, the Health Resources and Services Administration (HRSA) should collect language access data from federally-funded community health centers (CHC). HRSA should develop

measures for reporting in the Uniform Data System (UDS) on percentages and number of patients with preferred languages other than English, including data on the languages spoken; the percent and number of patients who are LEP; and the percent and number of visits when professional/certified interpreters were utilized for LEP patients. Dr. Quyen Ngo-Metzer noted that this is the first recommendation among several that the subcommittee plans to suggest in the future.

Questions and Discussion

Commissioner Grace Huang asked how these health centers are funded, noting that federal funding may require these centers to provide language access. Dr. Quyen Ngo-Metzer explained that FQHCs receive a small amount of funding from the federal government to serve uninsured patients. FQHCs, which are patient centers, often engage in interpretation and translation to respond to community needs. Medicaid populations comprise the core of the patients served. FQHCs do qualify and compete for additional federal funding.

Commissioner Ai-jen Poo underscored how many of us grew up interpreting for our immigrant parents and that this is a powerful story in moving the subcommittee's recommendation forward. It is important to honor this reality and burden that young people in our communities have held for so long. FQHCs are a good place to start, and perhaps a broader strategy is needed to address the challenges at larger hospitals. Dr. Quyen Ngo-Metzer responded that FQHCs are low hanging fruit because they do receive federal money (e.g., HRSA, Medicaid); consequently, this is the first place to target. She also noted that children interpreting for their parents around sensitive topics like mental health, intimate partner violence, or gynecological issues can present challenges. Commissioner Kimberly Chang added that the subcommittee anticipates inviting CMS representatives to discuss how the agency is incentivizing or funding health systems to use interpreters.

Commissioner Teresita Batayola highlighted the intersectionality of the work that the Commission is undertaking and referenced an earlier comment by Commissioner Robert Underwood about the shortcomings when looking only at national data instead of regional data. She emphasized that this recommendation is a beginning step and that many FQHCs are already doing this, which can potentially inform national standards.

Commissioner Victoria Huynh appreciated the discussion and suggested adding language about capturing data of those patients who bring their own interpreters to better understand resource allocation.

Commissioner Grace Huang asked how interpreters are compensated. Commissioner Teresita Batayola responded that generally health centers must find a way to fund interpreters. In Washington state, for example, Medicaid provides some funding, but it is usually insufficient to cover the extent of the need. This could be a powerful way to build coalition with other non-English speaking populations.

Strategic Planning Discussion

Chief Commissioner Sonal Shah started the conversation by offering a few issues for the Commissioners to think about, including identifying additional speakers to attend future Commission meetings and producing a final report at the end of the Commission's tenure. She then opened it up for comments and feedback.

Commissioner Daniel Dae Kim commented that the Commission would absolutely welcome the President at the next meeting. Commissioner Amy Agbayani suggested that, if the next Commission meeting is held outside of D.C., it would be important to invite a speaker from the community to highlight local issues and priorities. Commissioner Grace Huang added that, given our conversations around how language access intersects with all topics, it would be helpful to have someone from DOJ speak about the interagency work currently happening.

Commissioner Michelle Ka'uhane noted that the military installations in Hawaii have land leases that are set to expire in 2027; potential recommendations related to this topic might be helpful.

Commissioner Mia Ives-Rublee suggested additional conversations about how this Commission can work with other commissions around overlapping issues, such as racism and language access, given that we are likely working through similar topics and having the ability to collaborate will help advance our collective work forward.

Commissioner Luisa Blue asked if, at the next Commission meeting, a status report on the Commission's recommendations could be shared, specifically identifying which ones are moving forward and which ones are not. In addition, agencies could share how the Commission could rework those recommendations that are not currently feasible.

Commissioner Ajay Bhutoria shared that the Economic Equity Subcommittee has considered inviting SBA Administrator Isabel Guzman to their meeting.

Commissioner Ai-jen Poo acknowledged the significant legislative accomplishments of this administration, including the American Rescue Plan, Bipartisan Infrastructure Law, and the Inflation Reduction Act. These collective policies are among the largest transfer of wealth to everyday Americans in the history of our country. It would be helpful to hear from White House officials about how these investments are reaching and supporting AA and NHPI communities. A part of the Commission's role is to understand how administration policies are touching our communities.

Commissioner Smita Shah echoed support for inviting the President and SBA Administrator Guzman to speak to the Commission. In addition, she added that the Surgeon General could contribute to the conversation around mental health and language access. The Secretary of Labor would also be a wonderful speaker to discuss labor and workers' rights, issues that have surfaced across subcommittees. We could also highlight AA and NHPI leadership and champions, including Senator Duckworth.

Commissioner Naheed Qureshi added that the Commission could benefit from hearing from other corporate leaders and how they have addressed some of the issues within our subcommittees, particularly those related to hate and belonging. In addition, it would be helpful

to hear from the Attorney General directly about how the federal government is responding to hate and hate violence. Commissioner Amy Agbayani noted that Senator Mazie Hirono introduced the anti-Asian hate legislation and would be an excellent presenter.

Commissioner Smita Shah asked the Commission to consider how it should prioritize the suggested speakers, since there are only two or three remaining Commission meetings.

Commissioner KaYing Yang agreed with all of the suggestions and also suggested that, since the Commission is working directly with federal agencies, we could invite those agencies that are moving forward on implementing some of the Commission's recommendations and they could speak about their progress. In addition, the Commission should consider inviting young people to share their work.

Chief Commissioner Sonal Shah asked the Commissioners to think about the Commission's final report, specifically what should be included, how it should be organized, and what would be helpful to the next Commission. Commissioners Mia Ives-Rublee and Kamal Kalsi responded that those recommendations that have been implemented could be celebrated within the report as well as lessons learned and best practices. Commissioner Grace Huang added that the report could also include implementation steps and priorities for additional implementation efforts.

Commissioner Sarah Min noted that the report could include the five or six recurring themes across the subcommittees. Commissioner Kimberly Chang added that the report could also highlight how past commissions have grappled with similar issues and made similar recommendations and yet AA and NHPI communities are still being left behind.

Commissioner Amy Agbayani emphasized that the report should include facts and data about the AA and NHPI communities, not only the statistical information, but also the lived experiences and case studies to justify the Commission's recommendations. Commissioner Raynald Samoa agreed, adding that it will be important to think about the usability of the report, specifically how future Commissions or stakeholders will look at the subcommittee topics and interpret the information.

Commissioner Teresita Batayola commented on the intersectionality of the issues across subcommittees, including language access and mental health care, and suggested structuring the report around subject areas and corresponding recommendations. Commissioner Smita Shah also made some suggestions regarding structure and content, specifically beginning the report by showcasing this administration's commitment to equity and then identifying the four priority areas and what worked well and what didn't work. She emphasized that the report could be framed around how we turned ideas into action as well as some of the things that we weren't able to accomplish.

Commissioner Ai-jen Poo recommended having a separate conversation to discuss the structure and content of the report and ensure everyone is aligned on the goals and audience.

Commissioner Kevin Kim suggested that the Commission develop a social media friendly platform that is easily digestible and accessible so that each subcommittee's recommendations

are conveyed to the community and agencies can be held accountable. Commissioner Naheed Qureshi agreed, noting the need for a shorter executive summary. Commissioner KaYing Yang echoed her support about centering community and making the report accessible so that community stakeholders can use it as an advocacy tool for both the federal government and local agencies. She emphasized that the audience for the report also should include government agencies.

Commissioner Victoria Huynh added that the Commission should be mindful of terminology and jargon, especially if community members are the primary audience. We need to make sure that the information is distilled in a way that is easy to understand. In addition, there should be consideration for translation needs and leveraging ethnic media.

Commissioner Kamal Kalsi expressed gratitude to the Commissioners for crafting such thoughtful recommendations and noted that Commissioners themselves are a highly underutilized resource and that they could leverage their own platforms to share out the recommendations and report.

Commissioner Daniel Dae Kim pointed out that there is the report itself and then there is the audience and the engagement required to ensure that the report is accessible to the different stakeholders. Commissioner Luisa Blue added that the report should also include a call to action, a way for the community to implement some of the recommendations.

Chief Commissioner Sonal Shah summarized the discussion, noting that the Commission will need to decide the audience for the report (e.g., community, government, advocates), the platform used to reach the audience, how to ensure that the report is digestible, implementation, and how the next Commission can continue to move this work forward.

Remarks from Commission Co-Chair

Secretary Xavier Becerra, U.S. Department of Health and Human Services

Secretary Becerra started his remarks by noting that the President will soon be speaking in Monterey Park, a reflection of how this administration is prioritizing the needs of AA and NHPI communities, especially in the aftermath of such tragedy. He went on to talk about the legacy of this Commission, specifically referencing the prior conversation related to the Commission's final report. He noted that the report should emphasize the rich diversity of the AA and NHPI community, include ideas about what comes next and how the Commission lives beyond its tenure, insist that federal agencies lift up the report's recommendations, clarify the reach of the stakeholders (e.g., federal, state, local governments), and find ways to institutionalize the recommendations and ideas of this Commission. Secretary Becerra noted specific recommendations of the Commission that will soon be implemented, if they have not already, including the economic summits, prioritizing mental health care for young people, and increasing resources around language access. He closed by reminding the Commissioners that they now have champions inside the federal government, and that this number will continue to increase.

Belonging, Inclusion, Anti-Asian Hate, Anti-Discrimination Subcommittee

Co-Chairs: Commissioners Luisa Blue and Dr. Kamal Kalsi

Members: Commissioners Emily Chen, Grace Huang, Daniel Dae Kim, Naheed Qureshi, Smita Shah, and Dr. Robert Underwood

Non-Commission Member: Madihha Ahussain

DFO: Zeyen Wu

Commissioner Kamal Kalsi introduced the subcommittee members and shared the subcommittee's priority areas: supporting leadership opportunities for AA and NHPI individuals in government, business, non-profit, and media; education about AA and NHPI communities; standardizing hate crimes and hate incident definitions; increasing resources for victims, preventing gun violence targeting AA and NHPI communities; increasing federal transparency on data regarding domestic terrorism and white supremacist organizations; alternative means of reporting hate crimes or hate incidents; improving federal data collection of hate crimes and hate incidents; and prevention of anti-Asian hate in all spheres of life, including media, business, education, government, and online forums.

Commissioner Kamal Kalsi shared that the subcommittee received presentations from the following subject matter experts who helped to inform their recommendations:

- **Mary McCord, Executive Director, Institute for Constitutional Advocacy and Protection (ICAP), Visiting Professor of Law at Georgetown University Law Center:** Provided an overview about hate and white supremacist ideology, as well as specific commentary about the context of hate incidents against AA and NHPI communities arising from the COVID-19 pandemic.
- **Kate Peterson, Director of State Victim Resource Division, Office for Victims of Crime (OVC), U.S. Department of Justice; Jasmine D'Addario-Fobian, Director of Discretionary Programs Division, OVC, U.S. Department of Justice:** Provided an overview of the operations of OVC, including sources of funds, programs, grantees, and other information. The speakers also provided information about AA and NHPI-serving grantees.
- **Cynthia Deitle, former FBI Special Agent, and former Director, Civil Rights Reform, Matthew Shepard Foundation:** Provided information about the investigatory operations and outreach mechanisms of the FBI and local law enforcement as it pertains to communities vulnerable to hate incidents, as well as ideas and initiatives to improve hate crimes reporting and tracking.
- **Chris Hsiung, Undersheriff, San Mateo County, California:** Provided information on hate crimes investigations and reporting issues from a law enforcement perspective.

Commissioner Kamal Kalsi presented the subcommittee's **first recommendation**, explaining that ever since WHIAANHPI and the Commission were established via Executive Order 14031, they have been staffed by part time and temporary personnel that sometimes rotate through for assignments as short as three months. This undermines the Commission's ability to execute longer term goals, degrades institutional memory, and limits the effectiveness of the Commission's efforts as it must constantly work through the churn of new staff. The subcommittee therefore recommends that the federal government should establish a permanent

home agency with permanent career and political staff (FTEs), and ongoing funding to support the work of WHIAANHPI and the Commission.

Questions and Discussion

Commissioner Teresita Batayola asked about the advantages of staying within HHS or moving to another agency, especially as the Commission thinks about collaboration with other commissions. Commissioner Kamal Kalsi responded that the subcommittee looked into those considerations; the breadth of EO 14031 is quite broad and housing WHIAANHPI and the Commission at HHS does account for that scope. The mandate of the other commissions is narrower. He also explained that it is his understanding that other commissions likewise have to be reauthorized. However, permanent staffing and funding relate specifically to appropriations from Congress. Perhaps the Commission can reach out to those other commissions and ask how they have been able to secure regular and consistent funding.

Commissioner Smita Shah acknowledged the work of the extraordinary staff and the difference each one has made to the Commission. She noted that even more could be accomplished if there was permanency.

Commissioner Mia Ives-Rublee also asked about the process for requesting and receiving permanent funding for the Commission and/or whether the next executive order would need to require permanent staffing. Commissioner Kamal Kalsi explained that the subcommittee purposefully left the language of the recommendation less prescriptive to allow for more flexibility around implementation. Commissioner Luisa Blue added that it would be helpful to receive advice from staff on how best to proceed; in other words, if this recommendation requires legislation, then the strategy will be different. Commissioner Kamal Kalsi agreed and noted that another possibility is to establish this Commission as a congressional entity. However, he believed the preference would be to keep the Commission as part of the White House.

Executive Director Krystal Ka'ai clarified that the President included funding for WHIAANHPI in his budget request and he did so last year as well. It is up to Congress to appropriate funding. She also clarified that the Commission is not permitted to lobby Congress; rather it can make recommendations, including supporting specific legislation. Commissions can be established by Congress and through executive order, which would be at the discretion of each administration. In fact, WHIAANHPI moved agencies under each administration. In response to Commissioner Kevin Kim's question about the method to obtain permanent staff/funding and how the other commissions did so, Executive Director Ka'ai said she was unsure, but that there was a real push by community to move WHIAANHPI to HHS.

Commissioner Emily Chen presented the subcommittee's **second recommendation**. She explained that one in five Asian Americans and one in five Pacific Islanders experienced a hate incident in 2020 or 2021. A 2022 survey of over 2,400 AAPI women showed that during the previous year, 74% of AAPI women reported personally experiencing racism and/or discrimination, 38% reported experiencing sexual harassment, and 12% reported experiencing gender and/or race-based physical violence. Because AA and NHPI victims are significantly less likely to contact law enforcement for assistance following a hate crime than other victims,

investment in programs and resources that communities trust is particularly important. AA and NHPI community-based organizations often play the role of serving as “volunteer” or unpaid liaisons and interpreters for mainstream organizations that lack experience and expertise working in AA and NHPI communities.

The Victims of Crime Act is the largest federal funding source supporting victim services in the United States. The OVC administers victim services funding, as well as victims' compensation, primarily through state formula funding. During FY 2023, the President requested \$1.76 billion for Crime Victims Fund programs in his budget proposal.

When requested by the subcommittee, Commissioner Emily Chen explained that OVC was unable to produce data on how many AA and NHPI-culturally specific organizations receive funding, particularly related to addressing hate-crimes. OVC could strengthen its data collection and reporting of data about the primary and preferred languages that crime victims speak, read, and write. Such data would be useful to measure accountability for access to funding for underserved communities, including developing benchmarks for state and/or territorial planning for funding distribution that engages culturally specific organizations. Despite having the power to do so, OVC does not obligate its grantees to engage in language access assessment and planning to ascertain and address the needs of community members whose first primary spoken language is not English.

Commissioner Emily Chen summarized that, while there has been increased attention on the harm and trauma that AA and NHPI community members continue to face from hate-crimes and other interpersonal violence, many AA and NHPI community members face barriers accessing culturally and linguistically appropriate victim services and supports. In addition, AA and NHPI culturally specific organizations face challenges accessing funding to provide such services, in part due to unfamiliarity with the funding structures imposed by state and territorial funding formulas, as well as minimal guidance or support provided to state and territorial grantees about how to reach, much less fund, trusted AA and NHPI community organizations.

The subcommittee recommends the Office for Victims of Crime (OVC) in the Department of Justice should increase the availability of, and accessibility of victim services for AA and NHPI crime victims, including victims of bias and hate incidents. This includes addressing barriers to funding for culturally specific organizations that are trusted in AA and NHPI communities by: (1) investing in increased outreach, both by OVC and grantee States and territories about funding opportunities, (2) modifying OVC’s funding agreements with States and Territories to motivate grantees to increase the accessibility of pass-through funds to culturally specific organizations serving AA and NHPI and other Black, Indigenous, and People of Color (BIPOC) communities, and (3) supporting OVC grantees and subgrantees to strengthen the cultural relevance of programs and linguistic capacity to serve AA and NHPI communities.

Questions and Discussion

Commissioner Victoria Huynh thanked the subcommittee for this recommendation, noting that this week is the two-year anniversary of the Atlanta spa shootings. She went on to point out that many community organizations have not been able to access these grants because the process is

too unwieldy, or they lack resources to hire a grantwriter. Organizations are doing the work yet need additional support to access funding. She went on to emphasize the need for an emergency response that is more accessible.

Commissioner Mia Ives-Rublee also expressed appreciation for this recommendation, and asked if language could be added about serving disabled marginalized and other BIPOC communities. Additionally, Commissioner Teresita Batayola suggested replacing “motivate” with “require.”

Commissioner Michelle Ka‘uhane noted that it would be helpful to understand the accessibility issues, i.e., what are the barriers to accessing these federal grants and how can we address those specific issues. For instance, is it eliminating the one-to-one matching requirement or something else.

Commissioner Grace Huang responded, noting that OVC does have emergency funding, but funding is limited to existing grantees who would then work to distribute the funding and resources. She also explained that OVC grants are generally long-standing funds, meaning that they are funded by formula and distributed to states, which have a lot of discretion in disbursing the funding. Many of the grantees have been recipients of these funds for decades; thus, one challenge is how to open this process to new grantees. States do have discretion to issue waivers from the one-to-one matching requirement. In short, it could be helpful for the federal government to provide more requirements for states.

Commissioner Teresita Batayola mentioned that in Washington state, there are programs related to pass-through funding that specifically reference emerging communities or first-time grantees, making the grant process more accessible.

Commissioner Smita Shah suggested modifying the language to emphasize increased outreach both by OVC and grantee states and territories to culturally specific organizations to ensure that those organizations are receiving information about these funding opportunities and programs. In addition, she inquired whether OVC could participate in some of the regional economic summits.

Economic Equity Subcommittee

Co-Chairs: Commissioners Ajay Bhutoria, Simon Pang, and Smita Shah

Members: Commissioners Luisa Blue, Dr. Kimberly Chang, Kerry Doi, Michelle Ka‘uhane, Kevin Kim, and Ai-jen Poo

DFO: Caroline Goon

Commissioner Smita Shah introduced the subcommittee members. She then shared that in January 2023, WHIAANHPI launched the White House Initiative AA and NHPI Economic Summit series, in partnership with the Small Business Administration (SBA) and other federal agencies, which was directly driven by a recommendation from the Commission’s Economic Equity Subcommittee. The series connects AA and NHPI business and community leaders with critical federal and local resources, and WHIAANHPI hopes to host eight summits across the country this year. Several Commissioners attended the summits in Philadelphia and Chicago and look forward to upcoming ones in Seattle and New York. The summits included tracks for both

small businesses and community/non-profit leaders, and topics included federal contracting, accessing capital, learning about counseling services available to small business owners, and regional funders and grantmakers.

Commissioner Smita Shah detailed the subcommittee's priority areas, which fall under four broader themes: (1) Opportunities for small businesses: increasing opportunities for small business, including exports and opportunities for small and community banks to participate in federal programs; (2) Access to job training and workforce development: worker access to childcare, paid leave, and long-term care across all industries, living wages, access to benefits, training opportunities, jobs of the future, and workforce development; (3) Opportunities for AA and NHPI workers: addressing income inequality and wage gap for AA and NHPI women and access and awareness around grants, contracts, and loans; and (4) Compliance and regulations: ensuring regulations for AA and NHPI investments into crypto markets, reviewing compliance and regulations related to workforce development and apprenticeship programs, and ensuring that regulations regarding small businesses, job opportunities, and workforce development are inclusive of AA and NHPI issues.

She noted that since December, the subcommittee met with several subject matter experts, including:

- **Summer Lee Haunani Sylva, Senior Advisor for Native Hawaiian Affairs, Office of the Secretary, U.S. Department of the Interior (DOI):** Provided an overview of DOI's initiatives for the Native Hawaiian community, including its draft consultation policy and procedures, Hawaiian Homes Commission Act oversight, and native language preservation efforts.
- **Exodie C. Roe, III, Associate Administrator for the Office of Small and Disadvantaged Business Utilization (OSDBU), General Services Administration (GSA); Paul Martin, Director, IT Services Contract Operations Division, GSA; Carena Jackson, Acting Director, Small Business Compliance and Goaling Division, OSDBU, GSA:** Provided an overview of the GSA contracting and procurement process, including the selection, awards, and post-awards process, and data related to AA and NHPIs.
- **Arun Venkataraman, Assistant Secretary of Commerce for Global Markets, and Director General of the U.S. and Foreign Commercial Service, International Trade Administration:** Provided an overview of the resources available to small businesses, and information related to the increase of global exports from the United States.
- **William W. Beach, Commissioner of Labor Statistics, Bureau of Labor Statistics, U.S. Department of Labor:** Provided an overview of the Bureau of Labor Statistics and shared relevant data regarding industries that AA and NHPI workers are concentrated in, including low-wage industries.

Commissioner Ajay Bhutoria expressed his deep appreciation to WHIAANHPI staff and leadership for making the economic summits a reality. He then presented the subcommittee's **first and only recommendation**, explaining that AA and NHPI small businesses face barriers in accessing international markets, limiting their potential for growth and expansion. As a result, they miss out on the opportunities and benefits of exporting their products and services.

The subcommittee therefore recommends that by June 30, 2024, the federal government should provide support and resources to AA and NHPI small businesses to help them expand their export operations in order to help reduce U.S. import/export trade imbalance. In addition, the steps below will help to bring an increasing number of AA and NHPI small businesses into the export marketplace:

- Increase awareness of tools and resources available through the Commerce Department, the United States Trade Development Agency (USTDA), and the Small Business Administration (SBA) for small AA and NHPI-owned businesses looking to expand their exports via targeted outreach sessions with AA and NHPI small businesses. Increase outreach to AA and NHPI communities and organizations to raise awareness of the benefits of exporting for small businesses.
- Gather and share data on export demands from other countries with AA and NHPI small businesses. Establish measurements to track if AA and NHPI small businesses are eligible, matched and benefiting.
- Provide training and educational programs to AA and NHPI small business owners on how to effectively navigate the export process and identify potential international markets for their products and services.
- Utilize U.S. consulates and embassies to provide AA and NHPI small businesses with global market outreach, including matchmaking and networking opportunities with foreign buyers and distributors. Develop targeted outreach programs to connect small AA and NHPI-owned businesses with potential international buyers and partners.
- Increase funding for market research and trade missions to help small AA and NHPI-owned businesses identify new export opportunities. Invest in trade promotion and export assistance programs that specifically target small AA and NHPI-owned businesses. Offer grants and low-interest loans to small AA and NHPI-owned businesses to help them invest in the infrastructure and equipment needed to expand their exports.
- Provide technical assistance to small AA and NHPI-owned businesses to help them comply with international trade regulations and standards.
- Facilitate trade missions and delegations to key international markets to provide AA and NHPI small businesses with the opportunity to showcase their products and services to potential buyers and partners.

Questions and Discussion

Commissioner Kevin Kim asked if the Export-Import Bank of the U.S. could be added to the first part of the recommendation. Commissioner Victoria Huynh also asked if the recommendation could include language assistance for those small businesses with limited English proficiency.

Immigration and Citizenship Status Subcommittee

Co-Chairs: Commissioners Grace Huang and KaYing Yang

Members: Commissioners Dr. Amy Agbayani, Ajay Bhutoria, Simon Pang, and Dr. Robert Underwood

Ex-Officio Member: Carol Wu, Senior Policy Advisor, Immigration Section, Office for Civil Rights and Civil Liberties, U.S. Department of Homeland Security

DFO: Sarah Edwards

Commissioner Amy Agbayani introduced the subcommittee members and shared that the subcommittee is focused on strengthening asylum processes; universal legal representation for individuals facing removal; protection for undocumented individuals; improving language access for individuals at risk of, or facing, immigration proceedings, including detained individuals; reducing the immigration court backlog; reducing immigration-based visa backlog; community-based alternatives to immigration detention; and the visiting impact of CARRP (Controlled Application Review and Resolution Program) on immigration status.

Commissioner Amy Agbayani shared that the subcommittee received presentations from the following subject matter experts who helped to inform their recommendations:

- **Matt Adams, Legal Director, Northwest Immigration Rights Project:** Presented an overview on the U.S. Citizenship and Immigration Services (USCIS) Controlled Application Review and Resolution Program (CARRP), including the factors used to make determinations and recommendations to improve the process.
- **Bureau of Consular Affairs, U.S. State Department:** Presented on the processing of immigrant visas, including family-based, employment-based, and diversity visas.
- **Mary Cheng, Deputy Director, Executive Office for Immigration Review, U.S. Department of Justice (DOJ); Lauren Alder Reid, Assistant Director, Executive Office for Immigration Review, DOJ:** Presented on language access in immigration courts, including how current policies and resources impact decision making for limited English proficient or non-English speakers.

Commissioner Grace Huang presented the subcommittee's **first recommendation**. She explained that, despite the serious consequences to people who are removed through deportation proceedings, there remains a significant percentage of people who go through the legal court systems without access to legal representation. Individuals of Chinese, Indian, Nepalese, Bangladeshi, Pakistani, Filipino, and Vietnamese descent were among the top 25 nationalities of individuals placed into removal proceedings in 2014-2018. Data shows that legal representation in immigration court can greatly reduce the likelihood of deportation. However, fewer than 50% of litigants in immigration court have counsel. Individuals with legal representation are five times more likely to win relief from deportation, and detained individuals are 10.5 times more likely to win relief when represented by counsel. Individuals who have legal counsel appear for their hearings over 96% of the time because a lawyer can help them navigate the system and manage language barriers. These statistics are unsurprising given the complexity of federal immigration law. People who are going through the process may also be experiencing recent trauma, lack financial resources, are unfamiliar with the U.S. legal system, or face language barriers.

For these foregoing reasons, the subcommittee recommends that the Department of Justice (DOJ) and Department of Homeland Security (DHS) expand access to legal representation for

those in removal proceedings through grants to non-profit and other legal aid organizations, with the purpose of providing universal legal representation by taking the following steps:

- The President’s annual budget request to Congress for FY 2024 should include allocations to support programs to provide indigent legal representation for individuals in immigration court proceedings.
- The Administration should explore what funds are available within DHS, DOJ, and other agencies that could be used to support increasing indigent legal representation (i.e., appointed counsel) in immigration proceedings in all jurisdictions, including at the Board of Immigration Appeals (BIA).

Questions and Discussion

Commissioner Naheed Qureshi expressed appreciation for this recommendation and asked if the subcommittee considered a proposal to create a public defender system for immigration court and also have nonprofit organizations provide funding. Commissioner Grace Huang responded that the subcommittee didn’t go into that level of detail in crafting the recommendation. She also noted that public defender systems are generally comprised of nonprofits, which receive appropriated funding. She agreed that starting with nonprofits is a good strategy and a first step since that structure is already in place.

Commissioner Ai-jen Poo also expressed appreciation for the recommendation and asked if there are any risks to applying this model to the criminal legal system. Commissioner Kimberly Chang raised a few questions about the President’s FY 2024 budget, which was released last week, and whether the federal government has convened summits to discuss legal representation and various models. Commissioner Grace Huang suggested modifying the recommendation to include an annual budget allocation. She also responded that DOJ has an initiative focused on access to counsel in civil legal proceedings for individuals. The focus of this recommendation is on those proceedings that often get forgotten in the legal system.

Commissioner Amy Agbayani expressed support for modifying the language to clarify that allocations should be part of all future budget requests. Commissioner Grace Huang also clarified that allocation for legal representation is not included in the President’s FY 2024 budget request. Chief Commissioner Sonal Shah noted that once the budget is released, it is much harder to add provisions.

Commissioner Ajay Bhutoria presented the subcommittee’s **second recommendation**. He explained that individuals residing in the United States on H1-B visas face consequences when they leave their jobs. Within 60 days, they must find another job or change their visa status; otherwise, they could be violating their immigration status. Sixty days is not a long time, given the challenging job market, specialized employment fields, and multiple layers of an interview process. The subcommittee therefore recommends that the Department of Homeland Security, U.S. Citizenship and Immigration Services (USCIS) extend the grace period for H1-B workers from 60 days to 180 days to allow those who have lost their jobs to find a new sponsor, without threatening their status or the status of their families.

Questions and Discussion

Commissioner Smita Shah commented about the timeliness of the recommendation, considering the low labor rate and the need to expand the applicant pool for employers. Commissioner Ai-jen Poo asked about the scope of directly impacted people, specifically if the layoffs in the tech industry impact this population. Commissioner Ajay Bhutoria responded that roughly 60% of layoffs in the tech industry comprise this population. Commissioner Naheed Qureshi added that she also heard about challenges within AA and NHPI communities about these issues. She noted that she is looking forward to seeing the Commission focus on visa needs of lower paid workers who are often more vulnerable. Commissioner Teresita Batayola appreciated Commissioner Naheed Qureshi's comment, adding that these issues also arise in the healthcare industry, where there are delays related to background checks and certifying credentials. Chief Commissioner Sonal Shah pointed out that this is also an issue in rural hospitals.

Commissioner Ajay Bhutoria presented the subcommittee's **third recommendation**, explaining that companies that sponsor individuals on an H1-B visa can also file an I-140 employment-based visa petition, which initiates the green card process. Currently, highly skilled foreign-born workers face long waits for their immigrant visas to be processed. Backlogs for some visa requests extend back to 2011 for India and 2013 for China. These individuals often face significant uncertainty and stress as they wait for their visas to be approved. Granting employment authorization documents (EADs) would provide them and their families with greater stability and security.

The subcommittee recommends that the Department of Homeland Security, U.S. Citizenship and Immigration Services (USCIS) grant EADs and travel documents to individuals who have approved I-140 employment-based visa petitions in the EB-1, EB-2, EB-3 categories, who have been waiting in the visa backlog for five or more years, regardless of whether they have filed applications for adjustment of status.

Questions and Discussion

Commissioner Daniel Dae Kim asked if this backlog affects AA and NHPI communities more than other immigrants. Commissioner Ajay Bhutoria responded that most people who are caught up in the backlog are from AA and NHPI communities, noting specifically those from India and China and referencing the 7% cap per country.

Commissioner Kevin Kim asked about the I-140 and whether that application is filed when an individual is still in their home country or in the U.S. Commissioner Ajay Bhutoria responded that an I-140 petition can be submitted while an individual is working in the U.S. or when they are processing their green card through a local embassy. Commissioner Grace Huang clarified that the I-140 petition is filed by an employer who is sponsoring an employee. It is a non-immigrant visa with a limited duration, as opposed to an immigrant visa, which allows a person to reside in the U.S. as a permanent resident. For the non-immigrant visa, an employer has different requirements. For those individuals who come to the U.S. on a non-immigrant visa and wish to stay and live here indefinitely, an employer can sponsor them through the I-140.

Commissioner Kevin Kim noted his discomfort with the language, “regardless of whether they have filed applications for adjustment of status.” Commissioner Grace Huang explained that those individuals are not eligible to apply for status since the wait time is 10-13 years. Commissioner Kevin Kim asked about the feasibility of this recommendation, and Commissioner Grace Huang responded that one of the reasons the subcommittee drafted this recommendation is because the statute provides a level of flexibility which is not the case in other contexts.

Commissioner Kevin Kim asked if the 7% country cap is part of a statute or executive order and whether the recommendation is attempting to circumvent that limitation. Commissioner Ajay Bhutoria responded that the 7% cap refers to the number of green cards that are issued per country, and that there is no regulation around EADs. He went on to explain that most tech workers are from AAPI countries, with the largest numbers from India and China. When applicants from countries like Brazil or Mexico apply for a green card, they are able to get their applications processed within six months to one year. By contrast, if you are an applicant from another country, like India or China, because the number of applicants is larger, the 7% cap is more limiting and creates a greater backlog. Chief Commissioner Sonal Shah clarified that the EAD process is the step taken before the immigrant visa, which grants an individual the right to work and travel. She suggested that Commissioners take more time to review the language of the recommendation.

Commission Discussion and Vote on the Subcommittee’s Recommendations and Future Priorities

Chief Commissioner Sonal Shah presented the recommendations from the Data Disaggregation, Language Access, Health Equity, Belonging, Inclusion, Anti-Asian Hate, Anti-Discrimination, Economic Equity, and Immigration and Citizenship Status Subcommittees, and the full Commission voted separately on each recommendation. Commissioners Kerry Doi, Simon Pang, and Raynald Samoa were recused.

Data Disaggregation Subcommittee

Actions Taken:

The Commission voted unanimously to adopt the recommendation, focused on data inclusion for U.S. territories:

- The Commission recommends that the White House issue an Executive Order that gives the U.S Territories comparable treatment to Puerto Rico in the standards, policies, and norms in federal departments and agencies regarding the treatment of U.S. Territories in the statistical system.

Language Access Subcommittee

Actions Taken:

The Commission voted unanimously to adopt the recommendation, focused on improving language assistance services in 988 suicide and crisis lifeline:

- The Commission recommends expanding the availability and access to 988 through providing language assistance services in multiple AA and NHPI languages, and expanding outreach to AA and NHPI communities:
 - o By September 2023, Substance Abuse and Mental Health Services Administration (SAMHSA) should translate 988 materials in webpages, social media, listserv announcements, and public outreach material into top AA and NHPI languages, consistent with the HHS Equity Action Plan, to address the inequities causing underutilization of the 988 Lifeline by AA and NHPI populations.
 - o By September 2023, SAMHSA should partner with federal agencies, including the U.S. Department of Education, to focus on youth outreach in schools and colleges, as well as AA and NHPI community organizations and media, to promote the 988 service and the availability of mental health services.
 - o By 2024, SAMHSA should develop a national action plan with regional language specificity to expand the capacity of the 988 Suicide & Crisis Lifeline to provide 24/7 live in-language counseling services in the top AA and NHPI languages (in addition to interpretation services), and increasing resources to community-based AA and NHPI organizations that can serve languages of lesser diffusion.

Health Equity Subcommittee

Actions Taken:

The Commission voted unanimously to adopt the first recommendation, focused on establishing an AA and NHPI youth mental health campaign, as amended (*italics below*):

- As part of the national AA and NHPI mental health summit, launch an AA and NHPI youth mental health campaign (~~tentatively titled “The Tiger Youth Mental Health Campaign”~~) run by a collaboration between the Department of Health and Human Services (HHS) and Department of Education (ED).
 - o Campaign would include a community volunteer mentorship component similar to the Obama Administration’s “My Brother’s Keeper” initiative, to help create healthy mental health environments that build resilient AA and NHPI youth.
 - o Create an education campaign for AA and NHPI youth on culturally competent healthy mental health practices *and take into account other parts of their identity, including generation, multi-racial, refugee, and adoptive.*
 - o Run ads partnering with AA and NHPI celebrities discussing the importance of *claiming cultural and community identity, however defined, which are protective factors against racism, homophobia, and ableism, and their impacts on mental*

~~health, pride and mental health.~~ Publish on platforms utilized by AA and NHPI communities.

- Increase targeted funding to the National Institutes of Health (NIH) for research on culturally competent effective treatments and approaches for AA and NHPI individuals with mental health symptoms.
- Expand Substance Abuse and Mental Health Services Administration (SAMHSA) minority fellowship programs and Health Resources and Services Administration (HRSA) loan repayment programs to target AA and NHPI behavioral health trainees and professionals.

The Commission voted unanimously to adopt the second recommendation, focused on establishing national programs to raise awareness, evaluate, and address health disparities, such as heart disease and obesity, in AA and NHPI sub-groups living in the United States, specifically on children and youth, as amended (*italics below*):

- The Commission recommends the establishment of national programs by the Department of Health and Human Services (HHS) and the Department of Education (ED) to raise awareness, evaluate, and address health disparities, such as heart disease and obesity, in AA and NHPI sub-groups living in the United States, specifically with a focus on children and youth.
 - Development of obesity ~~surveillance~~ *monitoring* and intervention programs by the Centers for Disease Control and Prevention (CDC) that focuses on AA and NHPI children and youth to dispel misconceptions and educate AA and NHPI communities on how to stay healthy and reduce the impact of chronic diseases using culturally relevant materials, resources, and languages.
 - Creation of a centralized database containing research and data *as well as nutritional options* related to AA and NHPI communities that are affected by heart disease and obesity, such as South Asians.
 - Work with SAMHSA, HRSA, HHS Office of Minority Health (HHS OMH), *and CMS* to increase training, technical assistance, and resources for healthcare providers to improve cultural competency and language barriers and ensure that the needs of AA and NHPI patients are being met.
 - Ensure agency-wide collaboration between HHS and ED to create and disseminate relevant educational information via community outreach in multiple AA and NHPI languages. The resources developed should be implemented in school health curriculums and be targeted to AA and NHPI children and youth on topics such as the detrimental effects of high sugar consumption, and education on how to read food nutrition labels.

- *Collaborate with FQHCs (federally qualified health centers), community, and patient stakeholders.*

The Commission voted unanimously to adopt the third recommendation, focused on collecting language access data from Federally Qualified Health Centers, and develop measures for reporting in the Uniform Data System, as amended (*italics below*):

- By 2024, for AA and NHPI communities, as well as other limited English proficient (LEP) populations, the Health Resources and Services Administration (HRSA) should collect language access data from federally-funded community health centers (CHC). HRSA should develop measures for reporting in the Uniform Data System (UDS) on percentages and number of patients with preferred languages other than English, including data on the languages spoken; the percent and number of patients who are LEP; and the percent and number of visits when professional/certified interpreters were utilized for LEP patients, *excluding the utilization of family members as interpreters.*
- *HHS should permanently require the collection of language access data beyond the May 11, 2023, expiration of the COVID-19 Public Health Emergency declaration.*

Belonging, Inclusion, Anti-Asian Hate, Anti-Discrimination Subcommittee

Actions Taken:

The Commission voted unanimously to adopt the first recommendation, focused on establishing permanent staff and agency to support WHIAANHPI, as amended (*italics below*):

- The federal government should establish a permanent home agency with permanent career and political staff (FTEs), and *continue to include ongoing funding in the President's budget* to support the work of WHIAANHPI and the President's Advisory Commission on AA and NHPIs.

The Commission voted unanimously to adopt the second recommendation, focused on increasing access to victim services for AA and NHPI victims, as amended (*italics below*):

- The Office for Victims of Crime (OVC) in the Department of Justice should increase the availability of, and accessibility of victim services for AA and NHPI crime victims, including victims of bias and hate incidents. This includes addressing barriers to funding for culturally specific organizations that are trusted in AA and NHPI communities by: (1) investing in increased outreach, both by OVC and grantee States and territories *to culturally specific organizations* about funding opportunities, (2) modifying OVC's funding agreements with States and Territories to ~~motivate grantees to~~ increase the ~~accessibility of~~ pass-through funds *granted* to culturally specific organizations serving AA and NHPIs, other Black, Indigenous, and People of Color (BIPOC) communities, and *other disabled BIPOC organizations* (3) supporting OVC grantees and subgrantees to strengthen the cultural relevance of programs and linguistic capacity to serve AA and NHPI communities.

Economic Equity Subcommittee

Actions Taken:

The Commission voted unanimously to adopt the recommendation, focused on increasing export opportunities for AA and NHPI small businesses, as amended (*italics below*):

- By June 30, 2024, the federal government should provide support and resources to AA and NHPI small businesses to help them expand their export operations in order to help reduce U.S. import/export trade imbalance. In addition, the steps below will help to bring an increasing number of AA and NHPI small businesses into the export marketplace.
 - Increase awareness of tools and resources available through the Commerce Department, the United States Trade Development Agency (USTDA), *Export-Import Bank of the U.S.*, and the Small Business Administration (SBA) for small AA and NHPI-owned businesses looking to expand their exports via targeted outreach sessions with AA and NHPI small businesses. Increase outreach to AA and NHPI communities and organizations to raise awareness of the benefits of exporting for small businesses.
 - Gather and share data on export demands from other countries with AA and NHPI small businesses. Establish measurements to track if AA and NHPI small businesses are eligible, matched and benefiting.
 - Provide training, educational programs, *and language assistance* to AA and NHPI small business owners on how to effectively navigate the export process and identify potential international markets for their products and services.
 - Utilize U.S. consulates and embassies to provide AA and NHPI small businesses with global market outreach, including matchmaking and networking opportunities with foreign buyers and distributors. Develop targeted outreach programs to connect small AA and NHPI-owned businesses with potential international buyers and partners.
 - Increase funding for market research and trade missions to help small AA and NHPI-owned businesses identify new export opportunities. Invest in trade promotion and export assistance programs that specifically target small AA and NHPI-owned businesses. Offer grants and low-interest loans to small AA and NHPI-owned businesses to help them invest in the infrastructure and equipment needed to expand their exports.
 - Provide technical assistance to small AA and NHPI-owned businesses to help them comply with international trade regulations and standards.

- Facilitate trade missions and delegations to key international markets to provide AA and NHPI small businesses with the opportunity to showcase their products and services to potential buyers and partners.

Immigration and Citizenship Status Subcommittee

Actions Taken:

The Commission voted unanimously to adopt the first recommendation, focused on expanding access to legal representation for noncitizens in removal proceedings, as amended (*italics below*):

- The Commission recommends that the Department of Justice (DOJ) and Department of Homeland Security (DHS) expand access to legal representation for those in removal proceedings through grants to non-profit and other legal aid organizations, with the purpose of providing universal legal representation by taking the following steps:
 - The President’s annual budget request to Congress for FY *2024 2025 and future years* should include allocations to support programs to provide indigent legal representation for individuals in immigration court proceedings.
 - The Administration should explore what funds are available within DHS, DOJ, and other agencies that could be used to support increasing indigent legal representation (i.e., appointed counsel) in immigration proceedings in all jurisdictions, including at the Board of Immigration Appeals (BIA).

The Commission voted to adopt the second recommendation, focused on extending the H1-B visa grace period for finding an employer sponsor, with Naheed Qureshi voting nay:

- The Commission recommends that the Department of Homeland Security’s U.S. Citizenship and Immigration Services (DHS USCIS) extend the grace period for H1-B workers from 60 days to 180 days to allow those who have lost their jobs to find a new sponsor, without threatening their status or the status of their families.

The Commission considered the third recommendation, focused on addressing the visa backlog for certain employment-based immigration petitions:

- The Commission recommends that the Department of Homeland Security’s U.S. Citizenship and Immigration Services (DHS USCIS) grant employment authorization documents (EADs) and travel documents to individuals who have approved I-140 employment-based visa petitions in the EB-1, EB-2, EB-3 categories, who have been waiting in the visa backlog for five or more years, regardless of whether they have filed applications for adjustment of status.

Commissioner Grace Huang provided additional clarity, explaining that employers sponsor individuals for certain specialized fields; those individuals can then apply for a green card

through the I-140 process. If that petition is approved, then an individual goes through subsequent steps. The issue is that there are only a certain number of slots available for green cards annually; thus, for those countries with a high number of people immigrating each year, the wait time can be 10, 15, or 20 years. While they are waiting for their green card, the subcommittee's recommendation would allow them to apply for work authorization and also receive travel documents to leave the U.S. to visit family. In short, the recommendation alleviates some of the burdens that individuals face when they are waiting for a green card. According to statistics from the State Department, it is estimated that between 200,000 – 300,000 people are in this particular position, with the majority from India and China.

Commissioner Ai-jen Poo asked if the subcommittee could think about how the Commission might be able to have the right level of conversation about immigration and citizenship, given that some of these issues may be broader and outside of the scope of what the Commission is able to recommend. Commissioner Victoria Huynh emphasized that the Commission cares deeply about these issues and that they want to be thorough and think through the impact of every policy recommendation.

Chief Commissioner Sonal Shah suggested seeking additional clarity, including adding some examples, and the full Commission agreed to table this recommendation until the next meeting.

Meeting Adjourned

Chief Commissioner Sonal Shah thanked the Commissioners for the thoughtful discussions and recommendations and adjourned the meeting.

In Attendance:

Dr. Amy Agbayani

Teresita Batayola

Secretary Xavier Becerra

Ajay Bhutoria

Luisa Blue

Dr. Kimberly Chang

Courtney Chappell

Emily Chen

Grace Choi

Kerry Doi

Michelle Tran Duong

Sarah Edwards

Caroline Goon

Grace Huang

Victoria Huynh

Mia Ives-Ruble

Krystal Ka'ai

Dr. Kamal Kalsi

Michelle Ka'uhane

Daniel Dae Kim

Hannah Kim

Kevin D. Kim

Rebecca Lee

Sarah Min

Erika L. Moritsugu

Dana Ng

Dr. Quyen Ngo-Metzger

Simon Pang

Ai-jen Poo

Naheed Qureshi

Dr. Raynald Samoa

Smita N. Shah

Sonal Shah

Ambassador Katherine Tai

Dr. Robert A. Underwood

Zeyen Wu

KaYing Yang